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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

April 26, 2016

Lynn Aaron Dennison
Dennison Excavating
390 South 600 East
Mount Pleasant, Utah 84647

Subject: Conditional Approval of Amended Notice of Intention to Commence Small Mining Operations, Lynn Aaron Dennison dba Dennison Excavating, Tom Fassio Property Project, S/039/0038, Sanpete County, Utah

Dear Mr. Dennison:

The Division of Oil, Gas and Mining (Division) finds the amended Tom Fassio Property Notice of Intention to Commence Small Mining Operations (NOI) complete. The amended map, received on March 17, 2016, identifies planned mining within an existing road disturbance across the drainage to the southeast of the original disturbance, most of which has been acceptably regraded. The existing reclamation surety is \$8,000.00 which is adequate as surety to cover the existing and planned disturbances of approximately 2.5 acres, including revegetation for graded areas. You are now formally and conditionally permitted to continue small mining activities as outlined in the amended NOI, provided there is no more than one acre of un-graded disturbance at any time.

The Division amends its former directive to require a map update, which has been met. **By May 17, 2016, you must also update the text of the NOI to reflect disturbance increases shown on the new map.** You also indicated that you eventually plan to mine east of the subject road. You will not be authorized to mine in this area until cultural resources are taken into account, the NOI is amended to show this disturbance (including another map), and the Division determines the amendment to be complete.

The approval or acceptance of a complete NOI does not relieve an operator from his responsibility to comply with the applicable statutes, rules, regulations, and ordinances of all local, state and federal agencies with jurisdiction over any aspect of the operator's mining operations. Enclosed please find a copy of the approved amendment to the NOI.

Please keep in mind the following regulatory requirements.

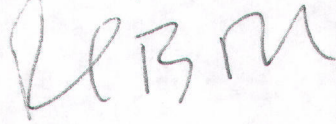
- Stockpiling topsoil material prior to beginning activities will help ensure successful revegetation. Even the first few inches of undeveloped material is worth saving to aid in later revegetation efforts, and future regulatory surety release.
- If you encounter any archaeological or historical items, you are asked to notify this office, and State History of your find.
- Annual reports and permit fees are due by January 31st.



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The Division's web page at <http://ogm.utah.gov> under the Minerals Program has a link to the rules under which you are expected to operate and to other information to assist you in complying with program requirements. Thank you for your cooperation. In reply, please refer to file number S/039/0038. Please contact Peter Brinton at 801-538-5258 or Paul Baker at 801-538-5261. Best wishes with your mining venture!

Sincerely,

A handwritten signature in dark ink, appearing to read "PB Baker", written over a light blue horizontal line.

Paul B. Baker
Minerals Program Manager

PBB: pnb: eb

Enclosure: Copy of amended NOI map

cc: Tom Fassio, landowner (2628 Sherwood Drive, Salt Lake City, UT 84108)
Scott Olsen, Sanpete County (solsen@sanpetecounty-ut.gov)

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